

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 5408-01
Bill No.: HB 2371
Subject: Waste - Solid; Natural Resources Dept.
Type: Original
Date: March 29, 2010

Bill Summary: Modifies provisions relating to solid waste processing facilities.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2011	FY 2012	FY 2013
Total Estimated Net Effect on General Revenue Fund	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2011	FY 2012	FY 2013
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 5 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2011	FY 2012	FY 2013
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2011	FY 2012	FY 2013
Total Estimated Net Effect on FTE	0	0	0

☐ Estimated Total Net Effect on All funds expected to exceed \$100,000 savings or (cost).

☐ Estimated Net Effect on General Revenue Fund expected to exceed \$100,000 (cost).

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2011	FY 2012	FY 2013
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Department of Health & Senior Services** assume there will be no fiscal impact to their agency.

Officials from the **Department of Natural Resources (DNR)** assume this proposal would require the Department of Natural Resources to establish minimum design, siting, operation, inspection, monitoring, financial assurance, and closure requirements by regulation for all material recovery facilities. The department would be allowed to establish different requirements depending on the nature and content of the solid waste streams processed by the facility, the degree of automation to be used in the processing and recovery activities, the amount and type of nonrecyclable wastes remaining after resource recovery, and other factors as determined by the department.

Until the material recovery facility regulations have become final and effective, this proposal would prohibit the department from issuing any permit to construct or operate a material recovery facility unless the facility processes only solid waste collected as part of a source-separated or single-stream residential, commercial, or industrial recycling program.

The department would need to complete the rulemaking process including meetings with stakeholders to amend and potentially add new sections which may address different regulatory requirements depending on the nature and content of materials accepted by the material recovery facility. The rulemaking process routinely takes 18 to 24 months to complete.

The department assumes that the necessary rulemaking process could be accomplished without additional resources.

<u>FISCAL IMPACT - State Government</u>	FY 2011 (10 Mo.)	FY 2012	FY 2013
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT - Local Government

FY 2011
(10 Mo.)

FY 2012

FY 2013

\$0

\$0

\$0

FISCAL IMPACT - Small Business

Yes. The department would be unable to approve permits for material recovery facilities that process solid wastes other than source-separated or solid wastes from single-stream residential, commercial, or industrial recycling programs during the 18 – 24 month period after the effective date of the proposed 260.205.23. This would prevent any business, including any small businesses, from obtaining permits and opening this specific type of material recovery processing facility during the period the department's permitting authority has been removed.

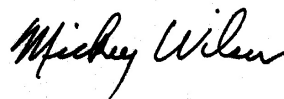
FISCAL DESCRIPTION

The proposed legislation appears to have no fiscal impact.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Department of Natural Resources
Department of Health and Senior Services



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Director

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